

**From:** Scott Walters  
**To:** Microsoft ATR  
**Date:** 12/18/01 2:07am  
**Subject:** Settlement Comments

Dear Renata Hesse;

I wish to go on record as I feel I have been materially harmed, as have all businesses and software developers in America.

Microsoft sets a standard for compatability for nearly all computer systems in the United States. Competing systems by other vendors, such as Compaq, IBM, RedHat, SGI are frequently and genereally rejected for applications for which they are technically superior and more cost effective because they do not meet this standard of compatability set by Microsoft Corporation. The standard that Microsoft sets shifts to suit Microsofts needs. When competing products are able to interoperate with their file formats, programming conventions, or network protocols, Microsoft quickly changes the standards. As a result, people and companies genereally fear to use anything not endorsed by Microsoft, as they know it will soon be incompatable.

This afflicts even vendors who wish to support Microsoft, by building their software exclusively on this platform. Any company that makes good or useful software for Microsoft quickly finds that Microsoft has a version of their own software that is tightly integrated with Windows that is difficult to remove or replace. This has happended to Lotus, to dBase, to Netscape, to Harvard Graphics, to WinAmp - and hundreds of other companies and products.

A previous computer software and hardware monopoly, before being broken up, held the market from any outside innovation, and provided standard software programming processes and computer systems. These systems are the heart of many large companies, including my current employer, Qwest. These systems became deeply entrenched, after 15 years of monopoly. It has proven impossible to replace these computers or move the software off of them, due to their proprietary nature. The backbones of thousands of companies like Qwest/USWest are these ailing, proprietary, hulking beasts. They cannot be upgraded any longer to deal with the new demands increased capacity and business models have placed on them. Modern software design processes and methods don't apply to them. Even today, as each year goes by, it becomes harder and harder to replace them.

Closed, secret systems owned by a single vendor are creating time-bombs for the future. While businesses know they will never

be able to run software for Windows on any other system, they are failing to consider the fact that the face of computing will have completely changed in 10 years. Unless Microsoft's protocols, file formats, and "API" (software's specification for interfacing to the operating system) are not intentionally manipulated to maintain incompatibility and secrecy, we will face this same legacy, and this same disaster, again. Billions of dollars will be spent maintaining systems from a previous generation, while businesses information backbones could easily be taking on new shapes and dimensions. Every business bullied into using Microsoft products today for fear of being subjected to incompatibility will find the future holds much greater threats.

This monopoly will essentially be legalized if Microsoft's offer is accepted. The corporations, software developers, computer manufacturers, and consumers deserve better than this. Microsoft can maintain a viable product and business without this. The quality of Microsoft's product will not noticeably deteriorate, and will likely improve, if they are not held in a status where they can refuse to interoperate with other vendor's products. Data and resources being shared between computers will produce a more diverse, competitive market. Businesses will be able to elect to use software, hardware, and other technology that best suits their needs, including new, untested, experimental and futuristic ideas. Businesses will be at liberty to plan and build for a future, and to take this future in their own hands.

Thank you sincerely for your time and attention on this grave matter.

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